

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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PATRICIA COHEN,

Plaintiff

-against-

STEVEN COHEN, DONALD COHEN and  
BRETT LURIE,

Defendants

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Hon. William H. Pauley III

Case No. 09 CV 10230 (WHP)

**ECF Case**

**Oral Argument Requested**

**DECLARATION OF KEVIN P. RODDY IN SUPPORT OF  
OPPOSITION TO DEFENDANTS' RENEWED  
MOTION TO DISMISS PLAINTIFF'S SECOND AMENDED COMPLAINT**

Pursuant to 28 U.S.C. §1746, Kevin P. Roddy hereby declares as follows:

1. I am an attorney at law, licensed to practice in the States of New York, New Jersey and California. I am a member of the law firm Wilentz, Goldman & Spitzer, P.A., which represents Plaintiff, Patricia Cohen, in the above-captioned action. I submit this Declaration in Support of Plaintiff's Opposition to the Renewed Motion to Dismiss Plaintiff's Second Amended Complaint filed by Defendants, Steven Cohen and Donald Cohen.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Affidavit in Opposition submitted by Steven A. Cohen to the Supreme Court of the State of New York, County of New York, in an action entitled *Steven A. Cohen v. Patricia Cohen*, Index No. 62593/90. As indicated on page 26 of Exhibit 1, the affidavit was executed by Steven A. Cohen on May 1, 1991. As indicated on page 1 of Exhibit 1, the affidavit was filed with the court on August 9, 1991.

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3. The above-referenced affidavit is referenced and quoted in ¶31 of Plaintiff's Second Amended Complaint (Doc. 48-1).

I declare under penalty of perjury that the foregoing is true and correct. Executed this the 12<sup>th</sup> day of September, 2013, at Woodbridge, New Jersey.

WILENTZ, GOLDMAN & SPITZER, P.A.

By   
KEVIN P. RODDY

**Counsel for Plaintiff**